

FY 2006 Justice System House File 811

Last Action:

**House Appropriations
Committee**

March 15, 2005

AN ACT relating to and making appropriations to the Justice System.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE STUDY BILL 279 FY 2006 JUSTICE SYSTEM APPROPRIATIONS BILL

FUNDING SUMMARY

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$409.1 million from the General Fund and 5,841.4 FTE positions to the Department of Justice, Department of Corrections, Department of Inspections and Appeals, Iowa Law Enforcement Academy, Board of Parole, Civil Rights Commission, Department of Public Defense, and the Department of Public Safety. This is an increase of \$13.6 million and 128.7 FTE positions compared to the estimated net FY 2005 General Fund appropriation.
- Makes the following General Fund increases for FY 2006:
 - **Civil Rights Commission:** \$93,000 increase for two civil rights specialists. (Page 21, Line 4)
 - **Department of Corrections:**
 - \$1.8 million increase to add 36.0 Parole/Probation Officers. (Page 11, Line 34 through Page 13, Line 18)
 - \$4.7 million for the prison system, including:
 - \$1.5 million to maintain positions when employees return from service in the Iowa National Guard and Reserve. (Page 5, Line 15 through Page 7, Line 12)
 - \$1.5 million for basic life safety issues including food, utility, and pharmacy costs. (Page 5, Line 15 through Page 7, Line 12)
 - \$300,000 for additional mental health staff. (Page 5, Line 24 and Page 6, Line 9)
 - \$700,000 to maintain current operations. (Page 6, Line 1; Page 6, Line 27; Page 7, Line 5)
 - \$700,000 to operate a 24-bed mental health unit at the Iowa Medical Classification Center at Oakdale. Senate File 342 (FY 2005 Supplemental Appropriations Bill) provides a FY 2005 supplemental appropriation of \$100,000 to renovate existing space for the mental health unit. (Page 6, Line 1)
 - \$1.0 million for the mental health and substance abuse treatment needs of offenders. (Page 7, Line 13)
 - **Department of Public Safety:**
 - \$22,000 increase for Department of Administrative Services reimbursement. (Page 17, Line 27)
 - \$749,000 increase for crime lab supplies and for 3.0 FTE positions for table game expansion at the three racetracks. (Page 17, Line 32)
 - \$771,000 increase for a criminal intelligence database. (Page 18, Line 21)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE STUDY BILL 279
FY 2006 JUSTICE SYSTEM APPROPRIATIONS BILL**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS, CONTINUED**

- *Department of Public Safety, continued:*
 - \$275,000 increase for 3.0 FTE positions in the Fire Marshal's Office. (Page 18, Line 33)
 - \$635,000 increase for 10.0 FTE positions in the Iowa State Patrol. (Page 19, Line 13)
 - \$140,000 increase for volunteer fire fighter training for new training standards. (Page 20, Line 23)
- *Department of Inspections and Appeals:* \$3.4 million increase to fund the projected increase in claims and to fund currently authorized positions in the Office of the State Public Defender. (Page 15, Line 8 through Page 15, Line 23)

STUDIES AND INTENT LANGUAGE

- Requires the Department of Justice to maintain a record of the estimated time incurred representing each agency or department. (Page 1, Line 18)
- Requires the Department of Justice to report the actual costs and an estimate of the time incurred enforcing the Iowa Competition Law and the Iowa Consumer Fraud Law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by November 15, 2005. (Page 1, Line 32 and Page 2, Line 31)
- Requires the Department of Corrections (DOC) to increase produce gardening by inmates and file a report to the Chairs and Ranking Members of the Justice System Appropriations Subcommittee by December 1, 2005. (Page 11, Line 5)
- Requires the DOC to submit a report on inmate labor to the Chairs and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by January 15, 2006. (Page 14, Line 3)
- Allows the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance as long as equal receivables are anticipated at the close of the fiscal year for cash flow purposes. (Page 16, Line 4)
- Authorizes the appropriation of no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2006 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 21, Line 12)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Permits the Iowa Law Enforcement Academy to charge more than one-half the cost of providing the Basic training course, subject to Council approval. This change is repealed on June 30, 2006. (Page 21, Line 23)

House File 811

House File 811 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|----------|--------------|---|
| 4 | 34 | 2 | Nwthstnd | Sec. 8.33 | Nonreversion of Contingent Appropriation for Environmental Crimes |
| 10 | 14 | 5.1(b) | Nwthstnd | Sec. 8.33 | Nonreversion of Appropriation for Inmate Education Program |
| 20 | 28 | 13.8 | Nwthstnd | Sec. 8.33 | Nonreversion of Volunteer Fire Fighter Training Grants |
| 21 | 23 | 16 | Nwthstnd | Sec. 80B.11B | Law Enforcement Academy Fees |

1 1 JUSTICE SYSTEM

1 2 Section 1. DEPARTMENT OF JUSTICE.

1 3 1. There is appropriated from the general fund of the
1 4 state to the department of justice for the fiscal year
1 5 beginning July 1, 2005, and ending June 30, 2006, the
1 6 following amounts, or so much thereof as is necessary, to be
1 7 used for the purposes designated:

1 8 a. For the general office of attorney general for
1 9 salaries, support, maintenance, miscellaneous purposes
1 10 including the prosecuting attorneys training program, victim
1 11 assistance grants, office of drug control policy (ODCP)
1 12 prosecuting attorney program, legal services for persons in
1 13 poverty grants as provided in section 13.34, odometer fraud
1 14 enforcement, and for not more than the following full-time
1 15 equivalent positions:

1 16 \$ 7,774,280

1 17 FTEs 214.50

1 18 It is the intent of the general assembly that as a
1 19 condition of receiving the appropriation provided in this
1 20 lettered paragraph, the department of justice shall maintain a
1 21 record of the estimated time incurred representing each agency
1 22 or department.

1 23 b. For victim assistance grants:

1 24 \$ 5,000

1 25 The funds appropriated in this lettered paragraph shall be
1 26 used to provide grants to care providers providing services to
1 27 crime victims of domestic abuse or to crime victims of rape
1 28 and sexual assault.

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Prosecuting Attorney Training Program, Legal Services Poverty Grants, and Odometer Fraud Enforcement.

DETAIL: Maintains current level of General Fund support and FTE positions.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

General Fund appropriation to the Department of Justice for the Victims Assistance Grants Program.

DETAIL: Maintains current level of General Fund support.

Requires that Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 29 c. For legal services for persons in poverty grants as
 1 30 provided in section 13.34:
 1 31 \$ 0

This is an expected new General Fund appropriation.

DETAIL: House File 682 (Deferred Judgment, Civil Penalty Bill) will generate approximately \$1,000,000. Of this amount, \$750,000 is planned to be appropriated to this line item for legal aid, contingent upon the passage of HF 682.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$600,000 pending for this program in SF 342 (FY 2005 Supplemental Appropriations Bill).

1 32 2. In addition to the funds appropriated in subsection 1,
 1 33 there is appropriated from the general fund of the state to
 1 34 the department of justice for the fiscal year beginning July
 1 35 1, 2005, and ending June 30, 2006, an amount not exceeding
 2 1 \$200,000 to be used for the enforcement of the Iowa
 2 2 competition law. The funds appropriated in this subsection
 2 3 are contingent upon receipt by the general fund of the state
 2 4 of an amount at least equal to the expenditure amount from
 2 5 either damages awarded to the state or a political subdivision
 2 6 of the state by a civil judgment under chapter 553, if the
 2 7 judgment authorizes the use of the award for enforcement
 2 8 purposes or costs or attorneys fees awarded the state in state
 2 9 or federal antitrust actions. However, if the amounts
 2 10 received as a result of these judgments are in excess of
 2 11 \$200,000, the excess amounts shall not be appropriated to the
 2 12 department of justice pursuant to this subsection. The
 2 13 department of justice shall report the department's actual
 2 14 costs and an estimate of the time incurred enforcing the
 2 15 competition law, to the co-chairpersons and ranking members of
 2 16 the joint appropriations subcommittee on the justice system,
 2 17 and to the legislative services agency by November 15, 2004.

Contingent General Fund appropriation to the Department of Justice for the enforcement of the Iowa Competition Law. The appropriation is contingent on the receipt of damages due to anti-trust lawsuits and is limited to \$200,000. Requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred to enforce the Iowa Competition Law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by November 15, 2005.

DETAIL: Maintains current level of contingent funding.

2 18 3. In addition to the funds appropriated in subsection 1,
 2 19 there is appropriated from the general fund of the state to
 2 20 the department of justice for the fiscal year beginning July

Contingent General Fund appropriation to the Department of Justice for administration and operations. The appropriation is contingent on the receipt of costs or attorney fees awarded to the State due to

2 21 1, 2005, and ending June 30, 2006, an amount not exceeding
 2 22 \$300,000 to be used for administration and operations. The
 2 23 funds appropriated in this subsection are contingent upon
 2 24 receipt by the general fund of the state of an amount at least
 2 25 equal to the expenditure amount from costs or attorney fees
 2 26 awarded the state in settlement of its antitrust action
 2 27 against Microsoft brought under chapter 553. However, if the
 2 28 amounts received as a result of this settlement are in excess
 2 29 of \$300,000, the excess amounts shall not be appropriated to
 2 30 the department of justice pursuant to this subsection.

settlement of the antitrust action against Microsoft Corporation.

DETAIL: Iowa's share of the settlement is approximately \$1,600,000. California is acting as the fiduciary for the states involved in the settlement. The funds are anticipated to be returned to Iowa by the close of this fiscal year.

2 31 4. In addition to the funds appropriated in subsection 1,
 2 32 there is appropriated from the general fund of the state to
 2 33 the department of justice for the fiscal year beginning July
 2 34 1, 2005, and ending June 30, 2006, an amount not exceeding
 2 35 \$1,125,000 to be used for public education relating to
 3 1 consumer fraud and for enforcement of section 714.16, and an
 3 2 amount not exceeding \$75,000 for investigation, prosecution,
 3 3 and consumer education relating to consumer and criminal fraud
 3 4 against older Iowans. The funds appropriated in this
 3 5 subsection are contingent upon receipt by the general fund of
 3 6 the state of an amount at least equal to the expenditure
 3 7 amount from damages awarded to the state or a political
 3 8 subdivision of the state by a civil consumer fraud judgment or
 3 9 settlement, if the judgment or settlement authorizes the use
 3 10 of the award for public education on consumer fraud. However,
 3 11 if the funds received as a result of these judgments and
 3 12 settlements are in excess of \$1,200,000, the excess funds
 3 13 shall not be appropriated to the department of justice
 3 14 pursuant to this subsection. The department of justice shall
 3 15 report to the co-chairpersons and ranking members of the joint
 3 16 appropriations subcommittee on the justice system, and to the
 3 17 legislative services agency by November 15, 2005, the
 3 18 department's actual costs and an estimate of the time incurred
 3 19 in providing education pursuant to and enforcing this
 3 20 subsection.

Contingent General Fund appropriation to the Department of Justice for consumer education and the enforcement of consumer fraud law. The appropriation is contingent on the receipt of damages due to consumer fraud lawsuits and is limited to \$1,200,000. Of this amount, \$1,125,000 is to be used for public education and enforcement purposes, and \$75,000 is to be used for investigation, prosecution, and consumer education relating to fraud against older Iowans. Requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred for education and enforcement of consumer fraud law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by November 15, 2005.

DETAIL: Maintains current level of contingent funding.

3 21 5. The balance of the victim compensation fund established
3 22 in section 915.94 may be used to provide salary and support of
3 23 not more than 22 FTEs and to provide maintenance for the
3 24 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. Maintains current level of FTE positions.

3 25 6. a. The department of justice, in submitting budget
3 26 estimates for the fiscal year commencing July 1, 2006,
3 27 pursuant to section 8.23, shall include a report of funding
3 28 from sources other than amounts appropriated directly from the
3 29 general fund of the state to the department of justice or to
3 30 the office of consumer advocate. These funding sources shall
3 31 include, but are not limited to, reimbursements from other
3 32 state agencies, commissions, boards, or similar entities, and
3 33 reimbursements from special funds or internal accounts within
3 34 the department of justice. The department of justice shall
3 35 report actual reimbursements for the fiscal year commencing
4 1 July 1, 2004, and actual and expected reimbursements for the
4 2 fiscal year commencing July 1, 2005.

Requires the Department of Justice, in submitting FY 2007 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2005 and FY 2006.

4 3 b. The department of justice shall include the report
4 4 required under paragraph "a", as well as information regarding
4 5 any revisions occurring as a result of reimbursements actually
4 6 received or expected at a later date, in a report to the co-
4 7 chairpersons and ranking members of the joint appropriations
4 8 subcommittee on the justice system and the legislative
4 9 services agency. The department of justice shall submit the
4 10 report on or before January 15, 2006.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2006.

4 11 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES
4 12 INVESTIGATION AND PROSECUTION -- FUNDING. There is
4 13 appropriated from the environmental crime fund of the
4 14 department of justice, consisting of court-ordered fines and
4 15 penalties awarded to the department arising out of the
4 16 prosecution of environmental crimes, to the department of

Contingent appropriation from the Environmental Crime Fund of up to \$20,000 to the Department of Justice. The appropriation is contingent on receipt of contributions, court-ordered restitution, and consent decrees as a part of civil or regulatory enforcement actions. The funds are to be used for the investigation and prosecution of environmental crimes.

4 17 justice for the fiscal year beginning July 1, 2005, and ending
 4 18 June 30, 2006, an amount not exceeding \$20,000 to be used by
 4 19 the department, at the discretion of the attorney general, for
 4 20 the investigation and prosecution of environmental crimes,
 4 21 including the reimbursement of expenses incurred by county,
 4 22 municipal, and other local governmental agencies cooperating
 4 23 with the department in the investigation and prosecution of
 4 24 environmental crimes.
 4 25 The funds appropriated in this section are contingent upon
 4 26 receipt by the environmental crime fund of the department of
 4 27 justice of an amount at least equal to the appropriations made
 4 28 in this section and received from contributions, court-ordered
 4 29 restitution as part of judgments in criminal cases, and
 4 30 consent decrees entered into as part of civil or regulatory
 4 31 enforcement actions. However, if the funds received during
 4 32 the fiscal year are in excess of \$20,000, the excess funds
 4 33 shall be deposited in the general fund of the state.

DETAIL: Maintains current level of contingent funding.

4 34 Notwithstanding section 8.33, moneys appropriated in this
 4 35 section that remain unencumbered or unobligated at the close
 5 1 of the fiscal year shall not revert but shall remain available
 5 2 for expenditure for the purpose designated until the close of
 5 3 the succeeding fiscal year.

CODE: Allows any ending balance of the contingent appropriation from the Environmental Crime Fund to carry forward to the next fiscal year.

5 4 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
 5 5 appropriated from the general fund of the state to the office
 5 6 of consumer advocate of the department of justice for the
 5 7 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 5 8 the following amount, or so much thereof as is necessary, to
 5 9 be used for the purposes designated:
 5 10 For salaries, support, maintenance, miscellaneous purposes,
 5 11 and for not more than the following full-time equivalent
 5 12 positions:
 5 13 \$ 2,810,442
 5 14 FTEs 27.00

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: Maintains current level of General Fund support and FTE positions.

5 15 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES.

5 16 1. There is appropriated from the general fund of the
5 17 state to the department of corrections for the fiscal year
5 18 beginning July 1, 2005, and ending June 30, 2006, the
5 19 following amounts, or so much thereof as is necessary, to be
5 20 used for the purposes designated:
5 21 For the operation of adult correctional institutions,
5 22 reimbursement of counties for certain confinement costs, and
5 23 federal prison reimbursement, to be allocated as follows:

5 24 a. For the operation of the Fort Madison correctional
5 25 facility, including salaries, support, maintenance, and
5 26 miscellaneous purposes:
5 27 \$ 38,923,261

General Fund appropriation to the Department of Corrections (DOC)
for the Fort Madison Correctional Facility.

DETAIL: This is an increase of \$752,835 and 11.50 FTE positions
compared to the estimated net FY 2005 appropriation. The change
includes:

- An increase of \$338,408 and 8.00 FTE positions to maintain
correctional officer positions when staff returns from active
military duty.
- An increase of \$165,000 for daily operations, including \$65,000
for food and \$100,000 for utility costs.
- An increase of \$249,427 and 3.50 FTE positions to address
mental health issues.

5 28 b. For the operation of the Anamosa correctional facility,
5 29 including salaries, support, maintenance, and miscellaneous
5 30 purposes:
5 31 \$ 27,257,452

General Fund appropriation to the DOC for the Anamosa Correctional
Facility.

DETAIL: This is an increase of \$242,403 and 3.50 FTE positions
compared to the estimated net FY 2005 appropriation. The change
includes:

- An increase of \$126,903 and 3.00 FTE positions to maintain
correctional officer positions when staff returns from active

5 32 Moneys are provided within this appropriation for one full-
 5 33 time substance abuse counselor for the Luster Heights
 5 34 facility, for the purpose of certification of a substance
 5 35 abuse program at that facility.

- military duty.
- An increase of \$115,500 for daily operations, including \$38,500 for pharmacy, \$48,500 for food, and \$28,500 for utility costs.
 - An increase of 0.50 FTE position as a budget adjustment.

Specifies that funds be provided for one substance abuse counselor to be employed at the Luster Heights Facility.

6 1 c. For the operation of the Oakdale correctional facility,
 6 2 including salaries, support, maintenance, and miscellaneous
 6 3 purposes:
 6 4 \$ 24,730,278

General Fund appropriation to the DOC for the Oakdale Correctional Facility.

DETAIL: This is an increase of \$1,105,553 and 50.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$159,000 for daily operations, including \$100,000 for food and \$59,000 for utility costs.
- An increase of \$200,000 and 4.00 FTE positions to maintain correctional officer positions that are currently filled.
- An increase of \$661,951 and 24.50 FTE positions to operate a 24-bed mental health unit.
- An increase of 20.00 FTE positions as a budget adjustment.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$100,000 pending in SF 342 (FY 2005 Supplemental Appropriations Bill) to the DOC for the one-time costs of renovating space to house the mental health unit.

6 5 d. For the operation of the Newton correctional facility,
 6 6 including salaries, support, maintenance, and miscellaneous

General Fund appropriation to the DOC for the Newton Correctional Facility.

6 7 purposes:

6 8 \$ 25,073,632

DETAIL: This is an increase of \$441,903 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$126,903 and 3.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$315,000 for daily operations, including \$115,000 for pharmacy, \$100,000 for food, and \$100,000 for utility costs.
- A decrease of 2.00 FTE positions as a budget adjustment.

6 9 e. For the operation of the Mt. Pleasant correctional
6 10 facility, including salaries, support, maintenance, and
6 11 miscellaneous purposes:

6 12 \$ 23,003,340

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is an increase of \$443,064 and 7.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$253,806 and 6.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$117,000 for daily operations, including \$27,000 for pharmacy, \$40,000 for food, and \$50,000 for utility costs.
- An increase of \$72,258 and 1.00 FTE position to address mental health issues. The position is a Psychologist 3.

6 13 In addition to the funds allocated in this paragraph "e",
6 14 there is appropriated from the general fund of the state to
6 15 the department of corrections for the fiscal year beginning
6 16 July 1, 2005, and ending June 30, 2006, an amount not
6 17 exceeding \$10,000 to be used for the chapel at the Mount
6 18 Pleasant correctional facility. The funds appropriated in
6 19 this paragraph are contingent upon receipt by the general fund
6 20 of the state of an amount at least equal to the expenditure
6 21 amount from costs or attorney fees awarded the state in

Contingent General Fund appropriation to the Department of Corrections for the renovation of the Mount Pleasant Correctional Facility chapel area. The appropriation is contingent on the receipt of costs or attorney fees awarded to the State due to settlement of the antitrust action against Microsoft Corporation.

DETAIL: Iowa's share of the settlement is approximately \$1,600,000. California is acting as the fiduciary for the states involved in the settlement. The funds are anticipated to be available by the close of this fiscal year.

6 22 settlement of its antitrust action against Microsoft brought
6 23 under chapter 553. However, if the amounts received as a
6 24 result of this settlement are in excess of \$10,000, the excess
6 25 amounts shall not be appropriated to the department of
6 26 corrections pursuant to this paragraph.

6 27 f. For the operation of the Rockwell City correctional
6 28 facility, including salaries, support, maintenance, and
6 29 miscellaneous purposes:
6 30 \$ 8,096,378

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$298,602 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$114,000 for daily operations, including \$10,000 for pharmacy, \$50,000 for food, and \$54,000 for utility costs.
- An increase of \$100,000 and 2.00 FTE positions to maintain correctional officer positions that are currently filled.
- A decrease of 3.00 FTE positions as a budget adjustment.

6 31 g. For the operation of the Clarinda correctional
6 32 facility, including salaries, support, maintenance, and
6 33 miscellaneous purposes:
6 34 \$ 22,904,497

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is an increase of \$313,505 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$211,505 and 5.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$102,000 for daily operations, including \$22,000 for pharmacy, \$30,000 for food, and \$50,000 for utility costs.
- A decrease of 4.00 FTE positions as a budget adjustment.

6 35 Moneys received by the department of corrections as

Appropriates reimbursements from the Clarinda Youth Academy to

7 1 reimbursement for services provided to the Clarinda youth
 7 2 corporation are appropriated to the department and shall be
 7 3 used for the purpose of operating the Clarinda correctional
 7 4 facility.

the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,000,000.

7 5 h. For the operation of the Mitchellville correctional
 7 6 facility, including salaries, support, maintenance, and
 7 7 miscellaneous purposes:
 7 8 \$ 14,002,603

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is an increase of \$754,602 and 9.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$270,000 for daily operations, including \$100,000 for pharmacy, \$75,000 for food, and \$95,000 for utility costs.
- An increase of \$400,000 and 7.50 FTE positions to maintain positions that are currently filled. These positions include an administrative assistant, social worker, security staff, and a part-time physician.

7 9 i. For the operation of the Fort Dodge correctional
 7 10 facility, including salaries, support, maintenance, and
 7 11 miscellaneous purposes:
 7 12 \$ 26,315,943

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is an increase of \$331,169 and 4.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$188,669 and 4.00 FTE positions to maintain correctional officer positions when staff returns from active military duty.
- An increase of \$142,500 for daily operations, including \$20,000 for pharmacy, \$75,000 for food, and \$47,500 for utility costs.

7 13 j. For inmate substance abuse and mental health treatment:

General Fund appropriation to the DOC for substance abuse and

7 14 \$ 1,000,000

mental health treatment of offenders.

DETAIL: This is a new appropriation.

7 15 In addition to the funds appropriated in this paragraph,
 7 16 there is appropriated from the general fund of the state to
 7 17 the department of corrections for the fiscal year beginning
 7 18 July 1, 2005, and ending June 30, 2006, an amount not to
 7 19 exceed \$214,000 to be used for inmate substance abuse and
 7 20 mental health treatment. The funds appropriated in this
 7 21 paragraph are contingent upon the receipt by the general fund
 7 22 of the state of an amount at least equal to the expenditure
 7 23 amount from costs or attorney fees awarded the state in
 7 24 settlement of its antitrust action against Microsoft brought
 7 25 under chapter 553. However, if the amounts received as a
 7 26 result of this settlement are in excess of \$214,000, the
 7 27 excess amounts shall not be appropriated to the department of
 7 28 corrections pursuant to this paragraph.

Contingent General Fund appropriation to the Department of Corrections for substance abuse and mental health treatment of offenders. The appropriation is contingent on the receipt of costs or attorney fees awarded to the State due to settlement of the antitrust action against Microsoft Corporation.

DETAIL: Iowa's share of the settlement is approximately \$1,600,000. California is acting as the fiduciary for the states involved in the settlement. The funds are anticipated to be available by the close of this fiscal year.

7 29 k. For reimbursement of counties for temporary confinement
 7 30 of work release and parole violators, as provided in sections
 7 31 901.7, 904.908, and 906.17 and for offenders confined pursuant
 7 32 to section 904.513:

7 33 \$ 674,954

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearing.

DETAIL: Maintains current level of General Fund support.

7 34 l. For federal prison reimbursement, reimbursements for
 7 35 out-of-state placements, and miscellaneous contracts:

8 1 \$ 241,293

General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.

DETAIL: Maintains current level of General Fund support.

8 2 2. The department of corrections shall use funds
 8 3 appropriated in subsection 1 to continue to contract for the
 8 4 services of a Muslim imam.

Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.

DETAIL: This contract is required pursuant to a federal court order.

8 5 3. In addition to the funds appropriated in subsection 1,
 8 6 there is appropriated from the general fund of the state to
 8 7 the department of corrections for the fiscal year beginning
 8 8 July 1, 2005, and ending June 30, 2006, an amount not
 8 9 exceeding \$42,000 to be used for education programming. The
 8 10 funds appropriated in this subsection are contingent upon
 8 11 receipt by the general fund of the state of an amount at least
 8 12 equal to the expenditure amount from costs or attorney fees
 8 13 awarded the state in settlement of its antitrust action
 8 14 against Microsoft brought under chapter 553. However, if the
 8 15 amounts received as a result of this settlement are in excess
 8 16 of \$42,000, the excess amounts shall not be appropriated to
 8 17 the department of corrections pursuant to this subsection.

Contingent General Fund appropriation of no more than \$42,000 to the DOC for the inmate education program. The appropriation is contingent upon the receipt of costs or attorney fees awarded to the State due to settlement of the antitrust action against Microsoft Corporation.

DETAIL: Iowa's share of the settlement is approximately \$1,600,000. California is acting as the fiduciary for the states involved in the settlement. The funds are anticipated to be returned to Iowa by the close of this fiscal year.

8 18 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.

8 19 1. There is appropriated from the general fund of the
 8 20 state to the department of corrections for the fiscal year
 8 21 beginning July 1, 2005, and ending June 30, 2006, the
 8 22 following amounts, or so much thereof as is necessary, to be
 8 23 used for the purposes designated:

8 24 a. For general administration, including salaries,
 8 25 support, maintenance, employment of an education director to
 8 26 administer a centralized education program for the
 8 27 correctional system, and miscellaneous purposes:
 8 28 \$ 2,829,708

General Fund appropriation to the DOC for the Central Office.

DETAIL: Maintains current level of General Fund support and FTE positions.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$414,416 pending for Central Office in SF 342 (FY 2005 Supplemental Appropriations Bill).

8 29 (1) It is the intent of the general assembly that as a

Specifies that it is the intent of the General Assembly that, as a

8 30 condition of receiving the appropriation provided in this
8 31 lettered paragraph, the department of corrections shall not,
8 32 except as otherwise provided in subparagraph (3), enter into a
8 33 new contract, unless the contract is a renewal of an existing
8 34 contract, for the expenditure of moneys in excess of \$100,000
8 35 during the fiscal year beginning July 1, 2005, for the
9 1 privatization of services performed by the department using
9 2 state employees as of July 1, 2005, or for the privatization
9 3 of new services by the department, without prior consultation
9 4 with any applicable state employee organization affected by
9 5 the proposed new contract and prior notification of the co-
9 6 chairpersons and ranking members of the joint appropriations
9 7 subcommittee on the justice system.

condition of receiving appropriated funds, the DOC not enter into a contract in excess of \$100,000 for privatized services during FY 2006 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

9 8 (2) It is the intent of the general assembly that each
9 9 lease negotiated by the department of corrections with a
9 10 private corporation for the purpose of providing private
9 11 industry employment of inmates in a correctional institution
9 12 shall prohibit the private corporation from utilizing inmate
9 13 labor for partisan political purposes for any person seeking
9 14 election to public office in this state and that a violation
9 15 of this requirement shall result in a termination of the lease
9 16 agreement.

Specifies that it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

9 17 (3) It is the intent of the general assembly that as a
9 18 condition of receiving the appropriation provided in this
9 19 lettered paragraph, the department of corrections shall not
9 20 enter into a lease or contractual agreement pursuant to
9 21 section 904.809 with a private corporation for the use of
9 22 building space for the purpose of providing inmate employment
9 23 without providing that the terms of the lease or contract
9 24 establish safeguards to restrict, to the greatest extent
9 25 feasible, access by inmates working for the private
9 26 corporation to personal identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriated funds, the DOC, when contracting with a private business for inmate employment, shall restrict inmates' access to citizens' personal identifying information.

9 27 b. For educational programs for inmates at state penal

General Fund appropriation to the DOC for educational programs for

9 28 institutions:
 9 29 \$ 1,008,358

inmates.

DETAIL: Maintains current level of General Fund support.

9 30 It is the intent of the general assembly that moneys
 9 31 appropriated in this lettered paragraph shall be used solely
 9 32 for the purpose indicated and that the moneys shall not be
 9 33 transferred for any other purpose. In addition, it is the
 9 34 intent of the general assembly that the department shall
 9 35 consult with the community colleges in the areas in which the
 10 1 institutions are located to utilize moneys appropriated in
 10 2 this lettered paragraph to fund the high school completion,
 10 3 high school equivalency diploma, adult literacy, and adult
 10 4 basic education programs in a manner so as to maintain these
 10 5 programs at the institutions.
 10 6 To maximize the funding for educational programs, the
 10 7 department shall establish guidelines and procedures to
 10 8 prioritize the availability of educational and vocational
 10 9 training for inmates based upon the goal of facilitating an
 10 10 inmate's successful release from the correctional institution.
 10 11 The director of the department of corrections may transfer
 10 12 moneys from Iowa prison industries for use in educational
 10 13 programs for inmates.

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

10 14 Notwithstanding section 8.33, moneys appropriated in this
 10 15 lettered paragraph that remain unobligated or unexpended at
 10 16 the close of the fiscal year shall not revert but shall remain
 10 17 available for expenditure only for the purpose designated in
 10 18 this lettered paragraph until the close of the succeeding
 10 19 fiscal year.

CODE: Requires that unexpended and unobligated educational program funds not revert to the General Fund but remain available in FY 2006 only for the specified purposes.

10 20 c. For the development of the Iowa corrections offender
 10 21 network (ICON) data system:
 10 22 \$ 427,700

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: Maintains current level of General Fund support.

10 23 2. It is the intent of the general assembly that the
10 24 department of corrections shall continue to operate the
10 25 correctional farms under the control of the department at the
10 26 same or greater level of participation and involvement as
10 27 existed as of January 1, 2005, shall not enter into any rental
10 28 agreement or contract concerning any farmland under the
10 29 control of the department that is not subject to a rental
10 30 agreement or contract as of January 1, 2005, without prior
10 31 legislative approval, and shall further attempt to provide job
10 32 opportunities at the farms for inmates. The department shall
10 33 attempt to provide job opportunities at the farms for inmates
10 34 by encouraging labor-intensive farming or gardening where
10 35 appropriate, using inmates to grow produce and meat for
11 1 institutional consumption, researching the possibility of
11 2 instituting food canning and cook-and-chill operations, and
11 3 exploring opportunities for organic farming and gardening,
11 4 livestock ventures, horticulture, and specialized crops.

Specifies that it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level as existed on January 1, 2005. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.

11 5 3. The department shall work to increase produce gardening
11 6 by inmates under the control of the correctional institutions,
11 7 and, if appropriate, may use the central distribution network
11 8 at the Woodward state resource center. The department shall
11 9 file a report with the co-chairpersons and ranking members of
11 10 the joint appropriations subcommittee on the justice system by
11 11 December 1, 2005, regarding the feasibility of expanding the
11 12 number of acres devoted to organic gardening and to the
11 13 growing of organic produce for sale.

Requires the DOC to increase produce gardening by inmates and, if appropriate, permits the DOC to use the central distribution network at the Woodward State Resource Center. Requires the DOC to file a report with the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee by December 1, 2005, regarding the feasibility of expanding the number of acres devoted to organic gardening and to growing organic produce for sale.

11 14 4. The department of corrections shall submit a report to
11 15 the general assembly by January 1, 2006, concerning moneys
11 16 recouped from inmate earnings for the reimbursement of
11 17 operational expenses of the applicable facility during the
11 18 fiscal year beginning July 1, 2004, for each correctional
11 19 institution and judicial district department of correctional
11 20 services. In addition, each correctional institution and

Requires the DOC to submit a report to the General Assembly by January 1, 2006, concerning the FY 2005 revenues recouped from inmate earnings for operational expenses for each prison and CBC District Department. Each prison and CBC District Department is required to submit monthly reports to the LSA concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

11 21 judicial district department of correctional services shall
 11 22 continue to submit a report to the legislative services agency
 11 23 on a monthly basis concerning moneys recouped from inmate
 11 24 earnings pursuant to sections 904.702, 904.809, and 905.14.

11 25 5. The department of corrections, in consultation with the
 11 26 board of parole, shall study the feasibility of establishing a
 11 27 mentoring program using unpaid volunteers to mentor persons
 11 28 who are on probation or parole. The department of corrections
 11 29 shall file a report regarding the study with the co-
 11 30 chairpersons and ranking members of the joint appropriations
 11 31 subcommittee on the justice system and the legislative
 11 32 services agency by December 15, 2005. The report shall detail
 11 33 the feasibility of establishing such a mentoring program.

Requires the DOC and the Board of Parole to study the feasibility of establishing a mentoring program. Requires the DOC to file a report regarding the study with the Co-Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by December 15, 2005.

11 34 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 11 35 SERVICES.

12 1 1. There is appropriated from the general fund of the
 12 2 state to the department of corrections for the fiscal year
 12 3 beginning July 1, 2005, and ending June 30, 2006, the
 12 4 following amounts, or so much thereof as is necessary, to be
 12 5 allocated as follows:

12 6 a. For the first judicial district department of
 12 7 correctional services, including the treatment and supervision
 12 8 of probation and parole violators who have been released from
 12 9 the department of corrections violator program, the following
 12 10 amount, or so much thereof as is necessary:
 12 11 \$ 10,406,624

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$293,592 and 6.00 FTE positions compared to the estimated net FY 2005 appropriation. The increase is for six Parole/Probation Officer II positions.

12 12 b. For the second judicial district department of
 12 13 correctional services, including the treatment and supervision
 12 14 of probation and parole violators who have been released from
 12 15 the department of corrections violator program, the following

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is an increase of \$244,660 and a decrease of 0.75 FTE

| | | |
|-------|--|--|
| 12 16 | amount, or so much thereof as is necessary: | position compared to the estimated net FY 2005 appropriation. The |
| 12 17 | \$ 8,017,509 | change includes: |
| | | <ul style="list-style-type: none"> • An increase of \$244,660 for 5.00 Parole/Probation Officer II positions. • A decrease of 5.75 FTE positions as a budget adjustment. |
| 12 18 | c. For the third judicial district department of | General Fund appropriation to the DOC for the Third CBC District |
| 12 19 | correctional services, including the treatment and supervision | Department. |
| 12 20 | of probation and parole violators who have been released from | |
| 12 21 | the department of corrections violator program, the following | DETAIL: This is an increase of \$195,728 and 4.00 FTE positions |
| 12 22 | amount, or so much thereof as is necessary: | compared to the estimated net FY 2005 appropriation. The increase |
| 12 23 | \$ 4,836,472 | is for four Parole/Probation Officer II positions. |
| 12 24 | d. For the fourth judicial district department of | General Fund appropriation to the DOC for the Fourth CBC District |
| 12 25 | correctional services, including the treatment and supervision | Department. |
| 12 26 | of probation and parole violators who have been released from | |
| 12 27 | the department of corrections violator program, the following | DETAIL: This is an increase of \$48,932 and 1.00 FTE position |
| 12 28 | amount, or so much thereof as is necessary: | compared to the estimated net FY 2005 appropriation. The increase |
| 12 29 | \$ 4,305,545 | is for one Parole/Probation Officer II position. |
| 12 30 | e. For the fifth judicial district department of | General Fund appropriation to the DOC for the Fifth CBC District |
| 12 31 | correctional services, including the treatment and supervision | Department. |
| 12 32 | of probation and parole violators who have been released from | |
| 12 33 | the department of corrections violator program, the following | DETAIL: This is an increase of \$538,252 and 11.00 FTE positions |
| 12 34 | amount, or so much thereof as is necessary: | compared to the estimated net FY 2005 appropriation. The increase |
| 12 35 | \$ 13,547,738 | is for 11.00 Parole/Probation Officer II positions. |
| 13 1 | f. For the sixth judicial district department of | General Fund appropriation to the DOC for the Sixth CBC District |
| 13 2 | correctional services, including the treatment and supervision | Department. |
| 13 3 | of probation and parole violators who have been released from | |
| 13 4 | the department of corrections violator program, the following | DETAIL: This is an increase of \$244,660 and a decrease of 2.75 FTE |
| 13 5 | amount, or so much thereof as is necessary: | positions compared to the estimated net FY 2005 appropriation. The |
| 13 6 | \$ 10,331,724 | change includes: |

- An increase of \$244,660 for 5.00 Parole/Probation Officer II positions.
- A decrease of 7.75 FTE positions as a budget adjustment.

13 7 g. For the seventh judicial district department of
 13 8 correctional services, including the treatment and supervision
 13 9 of probation and parole violators who have been released from
 13 10 the department of corrections violator program, the following
 13 11 amount, or so much thereof as is necessary:
 13 12 \$ 5,787,248

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$97,864 and 2.00 FTE positions compared to the estimated net FY 2005 appropriation. The increase is for two Parole/Probation Officer II positions.

13 13 h. For the eighth judicial district department of
 13 14 correctional services, including the treatment and supervision
 13 15 of probation and parole violators who have been released from
 13 16 the department of corrections violator program, the following
 13 17 amount, or so much thereof as is necessary:
 13 18 \$ 5,722,888

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is an increase of \$136,312 and 2.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$97,864 for two Parole/Probation Officer II positions.
- An increase of \$38,448 for overtime costs.

13 19 2. Each judicial district department of correctional
 13 20 services, within the funding available, shall continue
 13 21 programs and plans established within that district to provide
 13 22 for intensive supervision, sex offender treatment, diversion
 13 23 of low-risk offenders to the least restrictive sanction
 13 24 available, job development, and expanded use of intermediate
 13 25 criminal sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

13 26 3. Each judicial district department of correctional
 13 27 services shall provide alternatives to prison consistent with
 13 28 chapter 901B. The alternatives to prison shall ensure public

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

13 29 safety while providing maximum rehabilitation to the offender.
13 30 A judicial district department may also establish a day
13 31 program.

13 32 4. The governor's office of drug control policy shall
13 33 consider federal grants made to the department of corrections
13 34 for the benefit of each of the eight judicial district
13 35 departments of correctional services as local government
14 1 grants, as defined pursuant to federal regulations.

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

14 2 Sec. 7. INTENT -- REPORTS.

14 3 1. The department of corrections shall submit a report on
14 4 inmate labor to the general assembly, to the co-chairpersons
14 5 and the ranking members of the joint appropriations
14 6 subcommittee on the justice system, and to the legislative
14 7 services agency by January 15, 2006. The report shall
14 8 specifically address the progress the department has made in
14 9 implementing the requirements of section 904.701, inmate labor
14 10 on capital improvement projects, community work crews, inmate
14 11 produce gardening, and private-sector employment.

Requires the DOC to submit a report regarding inmate labor to the General Assembly, Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA by January 15, 2006. Specifies the content of the report.

14 12 2. The department in cooperation with townships, the Iowa
14 13 cemetery associations, and other nonprofit or governmental
14 14 entities may use inmate labor to restore or preserve rural
14 15 cemeteries and historical landmarks. The department in
14 16 cooperation with the counties may also use inmate labor to
14 17 clean up roads, major water sources, and other water sources
14 18 around the state.

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks, and clean up roads and water resources.

14 19 3. Each month the department shall provide a status report
14 20 regarding private-sector employment to the legislative
14 21 services agency beginning on July 1, 2005. The report shall

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

14 22 include the number of offenders employed in the private
 14 23 sector, the combined number of hours worked by the offenders,
 14 24 and the total amount of allowances, and the distribution of
 14 25 allowances pursuant to section 904.702, including any moneys
 14 26 deposited in the general fund of the state.

14 27 Sec. 8. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

14 28 1. As used in this section, unless the context otherwise
 14 29 requires, "state agency" means the government of the state of
 14 30 Iowa, including but not limited to all executive branch
 14 31 departments, agencies, boards, bureaus, and commissions, the
 14 32 judicial branch, the general assembly and all legislative
 14 33 agencies, institutions within the purview of the state board
 14 34 of regents, and any corporation whose primary function is to
 14 35 act as an instrumentality of the state.

15 1 2. State agencies are hereby encouraged to purchase
 15 2 products from Iowa state industries, as defined in section
 15 3 904.802, when purchases are required and the products are
 15 4 available from Iowa state industries. State agencies shall
 15 5 obtain bids from Iowa state industries for purchases of office
 15 6 furniture exceeding \$5,000 or in accordance with applicable
 15 7 administrative rules related to purchases for the agency.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

15 8 Sec. 9. STATE PUBLIC DEFENDER. There is appropriated from
 15 9 the general fund of the state to the office of the state
 15 10 public defender of the department of inspections and appeals
 15 11 for the fiscal year beginning July 1, 2005, and ending June
 15 12 30, 2006, the following amounts, or so much thereof as is
 15 13 necessary, to be allocated as follows for the purposes
 15 14 designated:

15 15 1. For salaries, support, maintenance, and miscellaneous
 15 16 purposes, and for not more than the following full-time
 15 17 equivalent positions:
 15 18 \$ 18,444,964

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$1,584,115 and no change in FTE

15 19 FTEs 202.00

positions compared to the estimated net FY 2005 appropriation. The increase funds currently authorized positions.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$1,584,115 pending for the State Public Defender's Office in SF 342 (FY 2005 Supplemental Appropriations Bill).

15 20 2. For the fees of court-appointed attorneys for indigent
15 21 adults and juveniles, in accordance with section 232.141 and
15 22 chapter 815:

15 23 \$ 21,163,082

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is an increase of \$1,807,785 compared to the estimated net FY 2005 appropriation. The increase funds a projected increase in claims from court-appointed attorneys.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$2,896,042 pending for the Program in SF 342 (FY 2005 Supplemental Appropriations Bill).

15 24 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

15 25 1. There is appropriated from the general fund of the
15 26 state to the Iowa law enforcement academy for the fiscal year
15 27 beginning July 1, 2005, and ending June 30, 2006, the
15 28 following amount, or so much thereof as is necessary, to be
15 29 used for the purposes designated:

15 30 For salaries, support, maintenance, miscellaneous purposes,
15 31 including jailer training and technical assistance, and for
15 32 not more than the following full-time equivalent positions:

15 33 \$ 1,075,138

15 34 FTEs 30.05

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: Maintains current level of General Fund support and FTE positions.

15 35 It is the intent of the general assembly that the Iowa law
16 1 enforcement academy may provide training of state and local
16 2 law enforcement personnel concerning the recognition of and
16 3 response to persons with Alzheimer's disease.

Specifies the intent of the General Assembly that the Iowa Law Enforcement Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

16 4 The Iowa law enforcement academy may temporarily exceed and
 16 5 draw more than the amount appropriated and incur a negative
 16 6 cash balance as long as there are receivables equal to or
 16 7 greater than the negative balance and the amount appropriated
 16 8 in this subsection is not exceeded at the close of the fiscal
 16 9 year.

Allows the Iowa Law Enforcement Academy to incur a negative balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: This language is to help with cash flow issues the Academy faces in the last quarter of the fiscal year.

16 10 2. The Iowa law enforcement academy may select at least
 16 11 five automobiles of the department of public safety, division
 16 12 of the Iowa state patrol, prior to turning over the
 16 13 automobiles to the department of administrative services to be
 16 14 disposed of by public auction and the Iowa law enforcement
 16 15 academy may exchange any automobile owned by the academy for
 16 16 each automobile selected if the selected automobile is used in
 16 17 training law enforcement officers at the academy. However,
 16 18 any automobile exchanged by the academy shall be substituted
 16 19 for the selected vehicle of the department of public safety
 16 20 and sold by public auction with the receipts being deposited
 16 21 in the depreciation fund to the credit of the department of
 16 22 public safety, division of the Iowa state patrol.

Allows the Iowa Law Enforcement Academy to annually select at least five vehicles turned in to the State fleet administrator by the Department of Public Safety and exchange them for any of the Academy's training vehicles. The vehicles received by the Department of Public Safety from the Academy are to be sold at public auction. Requires the receipts to be deposited into the depreciation fund used to purchase new vehicles for the Department of Public Safety.

16 23 Sec. 11. BOARD OF PAROLE. There is appropriated from the
 16 24 general fund of the state to the board of parole for the
 16 25 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 16 26 the following amount, or so much thereof as is necessary, to
 16 27 be used for the purposes designated:

General Fund appropriation to the Board of Parole.

16 28 For salaries, support, maintenance, miscellaneous purposes,
 16 29 and for not more than the following full-time equivalent
 16 30 positions:

16 31 \$ 1,121,044
 16 32 FTEs 17.50

DETAIL: This is an increase of \$48,484 and 1.00 FTE position compared to the estimated net FY 2004 appropriation. The increase funds a part-time Administrative Law Judge and a part-time clerk.

16 33 Sec. 12. DEPARTMENT OF PUBLIC DEFENSE. There is
 16 34 appropriated from the general fund of the state to the

16 35 department of public defense for the fiscal year beginning
 17 1 July 1, 2005, and ending June 30, 2006, the following amounts,
 17 2 or so much thereof as is necessary, to be used for the
 17 3 purposes designated:

17 4 1. MILITARY DIVISION

17 5 For salaries, support, maintenance, miscellaneous purposes,
 17 6 and for not more than the following full-time equivalent
 17 7 positions:
 17 8 \$ 5,130,040
 17 9 FTEs 312.55

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: Maintains current level of General Fund support and a decrease of 4.80 FTE positions compared to the estimated net FY 2005 appropriation.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$5,753,000 for the Military Division pending in SF 342 (FY 2005 Supplemental Appropriations Bill) to repay federal funds.

17 10 If there is a surplus in the general fund of the state for
 17 11 the fiscal year ending June 30, 2006, within 60 days after the
 17 12 close of the fiscal year, the military division may incur up
 17 13 to an additional \$500,000 in expenditures from the surplus
 17 14 prior to transfer of the surplus pursuant to section 8.57.

Allows the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement of eligible expenses. This authorization allows the Division to borrow State General Fund dollars to cover federal reimbursable expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

17 15 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

17 16 For salaries, support, maintenance, miscellaneous purposes,

General Fund appropriation to the Emergency Management Division

17 17 and for not more than the following full-time equivalent
 17 18 positions:
 17 19 \$ 1,172,230
 17 20 FTEs 24.75

of the Department of Public Defense.

DETAIL: Maintains current level of General Fund support and a decrease of 0.50 FTE position.

17 21 Sec. 13. DEPARTMENT OF PUBLIC SAFETY. There is
 17 22 appropriated from the general fund of the state to the
 17 23 department of public safety for the fiscal year beginning July
 17 24 1, 2005, and ending June 30, 2006, the following amounts, or
 17 25 so much thereof as is necessary, to be used for the purposes
 17 26 designated:

17 27 1. For the department's administrative functions,
 17 28 including the criminal justice information system, and for not
 17 29 more than the following full-time equivalent positions:
 17 30 \$ 3,095,033
 17 31 FTEs 38.00

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: This is an increase of \$21,759 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. This change includes an increase in funding for Department of Administrative Services (DAS) billings for rent, heat, utilities, etc. The FTE increase is for a clerical position to assist with the Peace Officers Retirement (POR) Fund and human resources matters.

17 32 2. For the division of criminal investigation and bureau
 17 33 of identification, including the state's contribution to the
 17 34 peace officers' retirement, accident, and disability system
 17 35 provided in chapter 97A in the amount of 17 percent of the
 18 1 salaries for which the funds are appropriated, to meet federal
 18 2 fund matching requirements, and for not more than the
 18 3 following full-time equivalent positions:
 18 4 \$ 14,807,052
 18 5 FTEs 222.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of \$748,542 and 7.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$250,000 for supplies for the crime lab.
- An increase of \$286,944 and 3.00 FTE positions for three additional special agents, one at each racetrack, including training, equipment, and supplies for the expansion of table games at the racetracks.
- An increase of \$211,598 and 4.00 FTE positions for three criminalists and one secretary for the new crime lab.

NOTE: There is an FY 2005 supplemental General Fund appropriation of \$150,000 pending for the DCI in SF 342 (FY 2005 Supplemental Appropriations Bill).

18 6 3. For the criminalistics laboratory fund, if created in
 18 7 section 602.8108:
 18 8 \$ 0

This is an expected new General Fund appropriation.

DETAIL: General Fund appropriation contingency language is related to the passage of HF 123, Crime Lab Surcharge Bill, which would provide approximately \$367,000 in funding for equipment for the Division of Criminal Investigation (DCI) Crime Lab.

18 9 The department of public safety, with the approval of the
 18 10 department of management, may employ no more than two special
 18 11 agents and four gaming enforcement officers for each
 18 12 additional riverboat regulated after July 1, 2005, and one
 18 13 special agent for each racing facility which becomes
 18 14 operational during the fiscal year which begins July 1, 2005.
 18 15 One additional gaming enforcement officer, up to a total of
 18 16 four per riverboat, may be employed for each riverboat that
 18 17 has extended operations to 24 hours and has not previously
 18 18 operated with a 24-hour schedule. Positions authorized in
 18 19 this paragraph are in addition to the full-time equivalent
 18 20 positions otherwise authorized in this subsection.

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers upon receiving approval from the Department of Management for new riverboats licensed after July 1, 2005, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2006.

18 21 4. a. For the division of narcotics enforcement,
 18 22 including the state's contribution to the peace officers'
 18 23 retirement, accident, and disability system provided in
 18 24 chapter 97A in the amount of 17 percent of the salaries for
 18 25 which the funds are appropriated, to meet federal fund
 18 26 matching requirements, and for not more than the following
 18 27 full-time equivalent positions:
 18 28 \$ 4,701,141
 18 29 FTEs 75.00

General Fund appropriation to the Department of Public Safety for the Narcotics Enforcement Division.

DETAIL: This is an increase of \$771,052 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The increase in funding is for a criminal information database to track gangs and terrorists. The money would cover a nine month lapse in federal funding (October 2005 through June 2006) and would pay the salaries of seven sworn and nine civilian staff.

18 30 b. For the division of narcotics enforcement for
 18 31 undercover purchases:
 18 32 \$ 123,343

General Fund appropriation to the Department of Public Safety for undercover purchases by the Division of Narcotics Enforcement.

DETAIL: Maintains current level of General Fund support.

18 33 5. a. For the state fire marshal's office, including the
 18 34 state's contribution to the peace officers' retirement,
 18 35 accident, and disability system provided in chapter 97A in the
 19 1 amount of 17 percent of the salaries for which the funds are
 19 2 appropriated, and for not more than the following full-time
 19 3 equivalent positions:
 19 4 \$ 2,456,998
 19 5 FTEs 42.00

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is an increase of \$275,000 and 3.00 FTE positions compared to the estimated net FY 2005 appropriation for Fire Marshal Inspectors.

19 6 b. For the state fire marshal's office, for fire
 19 7 protection services as provided through the state fire service
 19 8 and emergency response council as created in the department,
 19 9 and for not more than the following full-time equivalent
 19 10 positions:
 19 11 \$ 638,021
 19 12 FTEs 10.00

General Fund appropriation to the State Fire Marshal's Office for Fire Protection Services.

DETAIL: Maintains current level of General Fund support and FTE positions.

19 13 6. For the division of the Iowa state patrol of the
 19 14 department of public safety, for salaries, support,
 19 15 maintenance, workers' compensation costs, and miscellaneous
 19 16 purposes, including the state's contribution to the peace
 19 17 officers' retirement, accident, and disability system provided
 19 18 in chapter 97A in the amount of 17 percent of the salaries for
 19 19 which the funds are appropriated, and for not more than the
 19 20 following full-time equivalent positions:
 19 21 \$ 43,151,973
 19 22 FTEs 531.00

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is an increase of \$634,840 and 10.00 FTE positions compared to the estimated net FY 2005 appropriation.

- An increase of \$559,840 and 10.00 FTE positions for additional troopers for the Iowa State Patrol.
- An increase of \$75,000 for racial profiling training for Department of Public Safety officers.

19 23 In addition to the funds otherwise appropriated in this

Contingent General Fund appropriation to the Department of Public

19 24 subsection, there is appropriated from the general fund of the
 19 25 state to the division of the Iowa state patrol for the fiscal
 19 26 year beginning July 1, 2005, and ending June 30, 2006, an
 19 27 amount not exceeding \$390,000 to be used for motor vehicle
 19 28 depreciation. The funds appropriated in this paragraph are
 19 29 contingent upon receipt by the general fund of the state of an
 19 30 amount at least equal to the expenditure amount from costs or
 19 31 attorney fees awarded the state in settlement of its antitrust
 19 32 action against Microsoft brought under chapter 553. However,
 19 33 if the amounts received as a result of this settlement are in
 19 34 excess of \$390,000, the excess amounts shall not be
 19 35 appropriated to the division of the Iowa state patrol pursuant
 20 1 to this paragraph.

Safety for the Iowa State Patrol. The appropriation is contingent on the receipt of costs or attorney fees awarded to the State due to settlement of the antitrust action against Microsoft Corporation.

DETAIL: Iowa's share of the settlement is approximately \$1,600,000. California is acting as the fiduciary for the states involved in the settlement. The funds are anticipated to be returned to Iowa by the close of this fiscal year. The \$390,000 is to be used for vehicle depreciation to purchase 20 additional State Patrol vehicles.

20 2 It is the intent of the general assembly that members of
 20 3 the Iowa state patrol be assigned to patrol the highways and
 20 4 roads in lieu of assignments for inspecting school buses for
 20 5 the school districts.

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

20 6 7. For deposit in the public safety law enforcement sick
 20 7 leave benefits fund established under section 80.42, for all
 20 8 departmental employees eligible to receive benefits for
 20 9 accrued sick leave under the collective bargaining agreement:
 20 10 \$ 316,179

General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement.

DETAIL: Maintains current level of funding compared to the estimated net FY 2005 appropriation.

20 11 An employee of the department of public safety who retires
 20 12 after July 1, 2005, but prior to June 30, 2006, is eligible
 20 13 for payment of life or health insurance premiums as provided
 20 14 for in the collective bargaining agreement covering the public
 20 15 safety bargaining unit at the time of retirement if that
 20 16 employee previously served in a position which would have been
 20 17 covered by the agreement. The employee shall be given credit
 20 18 for the service in that prior position as though it were

Allows employees of the Department of Public Safety retiring after July 1, 2005, but prior to June 30, 2006, to be eligible for insurance benefits as provided by the collective bargaining agreement. The employees must have previously served in positions that would have been covered by the agreement. This allows supervisors in the Department to keep benefits earned while under the collective bargaining contract.

20 19 covered by that agreement. The provisions of this subsection
 20 20 shall not operate to reduce any retirement benefits an
 20 21 employee may have earned under other collective bargaining
 20 22 agreements or retirement programs.

20 23 8. For costs associated with the training and equipment
 20 24 needs of volunteer fire fighters and for not more than the
 20 25 following full-time equivalent position:
 20 26 \$ 699,587
 20 27 FTEs 1.00

General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training Grants.

DETAIL: This is an increase of \$140,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The increase is for new volunteer firefighter training standards.

20 28 Notwithstanding section 8.33, moneys appropriated in this
 20 29 subsection that remain unobligated or unexpended at the close
 20 30 of the fiscal year shall not revert but shall remain available
 20 31 for expenditure only for the purpose designated in this
 20 32 subsection until the close of the succeeding fiscal year.

CODE: Allows the balance remaining at the end of the fiscal year to carry forward to the next fiscal year for fire fighter training grants.

20 33 Sec. 14. CIVIL RIGHTS COMMISSION. There is appropriated
 20 34 from the general fund of the state to the Iowa state civil
 20 35 rights commission for the fiscal year beginning July 1, 2005,
 21 1 and ending June 30, 2006, the following amount, or so much
 21 2 thereof as is necessary, to be used for the purposes
 21 3 designated:

21 4 For salaries, support, maintenance, miscellaneous purposes,
 21 5 and for not more than the following full-time equivalent
 21 6 positions:
 21 7 \$ 950,788
 21 8 FTEs 27.50

General Fund appropriation to the Civil Rights Commission.

DETAIL: This is an increase of \$92,700 and 0.50 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$92,700 for two Civil Rights Specialists.
- A decrease of 2.50 FTE positions as a budget adjustment.

NOTE: There is an FY 2005 supplemental General Fund

appropriation of \$56,000 pending for the Commission in SF 342 (FY 2005 Supplemental Appropriations Bill).

21 9 The Iowa state civil rights commission may enter into a
21 10 contract with a nonprofit organization to provide legal
21 11 assistance to resolve civil rights complaints.

Permits the Commission to enter into a contract with a non-profit organization for legal assistance.

21 12 Sec. 15. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
21 13 DIVISION. There is appropriated from the wireless E911
21 14 emergency communications fund to the administrator of the
21 15 homeland security and emergency management division of the
21 16 department of public defense for the fiscal year beginning
21 17 July 1, 2005, and ending June 30, 2006, an amount not
21 18 exceeding two hundred thousand dollars to be used for
21 19 implementation, support, and maintenance of the functions of
21 20 the administrator and program manager under chapter 34A and to
21 21 employ the auditor of the state to perform an annual audit of
21 22 the wireless E911 emergency communications fund.

Permits continued funding from the Wireless E911 Emergency Communications Fund for the Emergency Management Division of the Department of Public Defense through FY 2006.

DETAIL: The Division receives up to \$200,000 for the administration of the wireless E911 service and allows money to be used to employ the State Auditor to perform an annual audit on the Fund.

21 23 Sec. 16. IOWA LAW ENFORCEMENT ACADEMY -- FEES.
21 24 Notwithstanding section 80B.11B, the Iowa law enforcement
21 25 academy may charge more than one-half the cost of providing
21 26 the basic training course if a majority of the Iowa law
21 27 enforcement academy council authorizes charging more than one-
21 28 half of the cost of providing basic training. This section is
21 29 repealed on June 30, 2006.

CODE: Allows the Iowa Law Enforcement Academy to charge more than one-half the cost to provide training if approved by the Law Enforcement Academy Council. This Section is repealed June 30, 2006.

21 30 EXPLANATION

21 31 This bill makes appropriations for fiscal year 2005-2006
21 32 from the general fund of the state to the departments of
21 33 justice, corrections, public defense, and public safety, and
21 34 the Iowa law enforcement academy, office of the state public
21 35 defender, board of parole, and Iowa state civil rights

22 1 commission.
22 2 The bill also makes appropriations to the department of
22 3 justice, the department of corrections, and the Iowa state
22 4 patrol that are contingent upon the general fund of the state
22 5 receiving moneys from the Microsoft antitrust settlement.
22 6 The bill provides that the Iowa law enforcement academy may
22 7 charge a department of the state, a member of a police force,
22 8 or any political subdivision of the state more than one-half
22 9 of the cost to provide the basic training course for a law
22 10 enforcement officer, provided a majority of the Iowa law
22 11 enforcement council approves such a charge. Current law
22 12 prohibits the Iowa law enforcement academy from charging more
22 13 than one-half of the cost of providing the basic training
22 14 course.
22 15 LSB 1091HV 81
22 16 jm:jp/sh/8

Justice System

General Fund

| H.F. 811 | Actual FY 2003 | Actual FY 2004 | Estimated FY 2005 | House Approp FY 2006 | House Approp vs Est FY 2005 | Page & Line Number |
|--|---------------------|----------------------|----------------------|-------------------------|--------------------------------|-----------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Justice, Department of</u> | | | | | | |
| General Office A.G. | \$ 7,160,615 | \$ 7,584,225 | \$ 7,774,280 | \$ 7,774,280 | \$ 0 | PG 1 LN 8 |
| Consumer Advocate | 2,754,760 | 2,810,944 | 2,810,442 | 2,810,442 | 0 | PG 5 LN 4 |
| Victim Assistance Grants | | | 5,000 | 5,000 | 0 | PG 1 LN 23 |
| Legal Services Poverty Grant | | | | | 0 | PG 1 LN 29 |
| Total Justice, Department of | \$ 9,915,375 | \$ 10,395,169 | \$ 10,589,722 | \$ 10,589,722 | \$ 0 | |
| <u>Civil Rights Commission</u> | | | | | | |
| Civil Rights Commission | \$ 886,024 | \$ 827,835 | \$ 858,088 | \$ 950,788 | \$ 92,700 | PG 21 LN 4 |
| <u>Corrections, Department of</u> | | | | | | |
| Corrections Institutions | | | | | | |
| Ft. Madison Inst. | \$ 33,168,605 | \$ 37,393,149 | \$ 38,170,426 | \$ 38,923,261 | \$ 752,835 | PG 5 LN 24 |
| Anamosa Inst. | 24,386,629 | 26,468,726 | 27,015,049 | 27,257,452 | 242,403 | PG 5 LN 28 |
| Oakdale Inst. | 21,497,363 | 23,127,382 | 23,624,725 | 24,730,278 | 1,105,553 | PG 6 LN 1 |
| Newton Inst. | 22,501,891 | 24,007,011 | 24,631,729 | 25,073,632 | 441,903 | PG 6 LN 5 |
| Mt Pleasant Inst. | 21,161,133 | 22,306,420 | 22,560,276 | 23,003,340 | 443,064 | PG 6 LN 9 |
| Rockwell City Inst. | 7,268,049 | 7,711,007 | 7,797,776 | 8,096,378 | 298,602 | PG 6 LN 27 |
| Clarinda Inst. | 18,326,306 | 20,271,253 | 22,590,992 | 22,904,497 | 313,505 | PG 6 LN 31 |
| Mitchellville Inst. | 12,024,416 | 12,998,051 | 13,248,001 | 14,002,603 | 754,602 | PG 7 LN 5 |
| Ft. Dodge Inst. | 24,299,207 | 25,785,046 | 25,984,774 | 26,315,943 | 331,169 | PG 7 LN 9 |
| Total Corrections Institutions | 184,633,599 | 200,068,045 | 205,623,748 | 210,307,384 | 4,683,636 | |
| Corrections Central Office | | | | | | |
| Substance Abuse/Mental Health | | | | 1,000,000 | 1,000,000 | PG 7 LN 13 |
| County Confinement | 674,954 | 674,954 | 674,954 | 674,954 | 0 | PG 7 LN 29 |
| Federal Prisoners/Contractual | 241,293 | 241,293 | 241,293 | 241,293 | 0 | PG 7 LN 34 |
| Central Office Corrections | 2,666,224 | 2,784,393 | 2,829,708 | 2,829,708 | 0 | PG 8 LN 24 |

Justice System

General Fund

| H.F. 811 | Actual FY 2003 | Actual FY 2004 | Estimated FY 2005 | House Approp FY 2006 | House Approp vs Est FY 2005 | Page & Line Number |
|--|-------------------|-------------------|----------------------|-------------------------|--------------------------------|-----------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Corrections, Department of (cont.)</u> | | | | | | |
| Corrections Central Office (cont.) | | | | | | |
| Corrections Education | 100,000 | 1,000,000 | 1,008,358 | 1,008,358 | 0 | PG 9 LN 27 |
| Iowa Corr. Offender Network | 427,700 | 427,700 | 427,700 | 427,700 | 0 | PG 10 LN 20 |
| Total Corrections Central Office | 4,110,171 | 5,128,340 | 5,182,013 | 6,182,013 | 1,000,000 | |
| CBC Districts | | | | | | |
| CBC District I | 8,953,795 | 9,853,209 | 10,113,032 | 10,406,624 | 293,592 | PG 12 LN 6 |
| CBC District II | 6,992,061 | 7,657,081 | 7,772,849 | 8,017,509 | 244,660 | PG 12 LN 12 |
| CBC District III | 4,073,638 | 4,527,819 | 4,640,744 | 4,836,472 | 195,728 | PG 12 LN 18 |
| CBC District IV | 3,759,908 | 4,201,565 | 4,256,613 | 4,305,545 | 48,932 | PG 12 LN 24 |
| CBC District V | 11,416,374 | 12,793,238 | 13,009,486 | 13,547,738 | 538,252 | PG 12 LN 30 |
| CBC District VI | 8,746,141 | 9,952,952 | 10,087,064 | 10,331,724 | 244,660 | PG 13 LN 1 |
| CBC District VII | 5,000,149 | 5,554,925 | 5,689,384 | 5,787,248 | 97,864 | PG 13 LN 7 |
| CBC District VIII | 5,097,521 | 5,513,905 | 5,586,576 | 5,722,888 | 136,312 | PG 13 LN 13 |
| Total CBC Districts | 54,039,587 | 60,054,694 | 61,155,748 | 62,955,748 | 1,800,000 | |
| Total Corrections, Department of | \$ 242,783,357 | \$ 265,251,079 | \$ 271,961,509 | \$ 279,445,145 | \$ 7,483,636 | |
| <u>Inspections & Appeals, Dept of</u> | | | | | | |
| Public Defender | \$ 15,384,767 | \$ 16,705,522 | \$ 16,860,849 | \$ 18,444,964 | \$ 1,584,115 | PG 15 LN 15 |
| Indigent Defense Appropriation | 20,437,586 | 19,404,926 | 19,355,297 | 21,163,082 | 1,807,785 | PG 15 LN 20 |
| Total Inspections & Appeals, Dept of | \$ 35,822,353 | \$ 36,110,448 | \$ 36,216,146 | \$ 39,608,046 | \$ 3,391,900 | |
| <u>Law Enforcement Academy</u> | | | | | | |
| Operations | \$ 975,526 | \$ 1,069,586 | \$ 1,075,138 | \$ 1,075,138 | \$ 0 | PG 15 LN 25 |
| <u>Parole, Board of</u> | | | | | | |
| Parole Board | \$ 962,489 | \$ 1,020,495 | \$ 1,072,560 | \$ 1,121,044 | \$ 48,484 | PG 16 LN 23 |

Justice System

General Fund

| H.F. 811 | Actual FY 2003 | Actual FY 2004 | Estimated FY 2005 | House Approp FY 2006 | House Approp vs Est FY 2005 | Page & Line Number |
|---|-----------------------|-----------------------|-----------------------|-------------------------|--------------------------------|-----------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Public Defense, Department of</u> | | | | | | |
| Public Defense, Dept. of | | | | | | |
| Military Division | \$ 4,990,233 | \$ 5,097,065 | \$ 5,130,040 | \$ 5,130,040 | \$ 0 | PG 17 LN 5 |
| Emergency Management Division | | | | | | |
| Homeland Sec. & Emer. Mgmt Div | 1,050,987 | 1,126,202 | 1,172,230 | 1,172,230 | 0 | PG 17 LN 16 |
| Total Public Defense, Department of | \$ 6,041,220 | \$ 6,223,267 | \$ 6,302,270 | \$ 6,302,270 | \$ 0 | |
| <u>Public Safety, Department of</u> | | | | | | |
| Public Safety Administration | \$ 2,398,544 | \$ 2,445,482 | \$ 3,073,274 | \$ 3,095,033 | \$ 21,759 | PG 17 LN 27 |
| Investigation, DCI | 12,499,886 | 13,130,579 | 14,058,510 | 14,807,052 | 748,542 | PG 17 LN 32 |
| Narcotics Enforcement | 3,510,371 | 3,721,083 | 3,930,089 | 4,701,141 | 771,052 | PG 18 LN 21 |
| Undercover Funds | 123,343 | 120,568 | 123,343 | 123,343 | 0 | PG 18 LN 30 |
| Fire Marshal | 1,889,002 | 1,846,495 | 2,181,998 | 2,456,998 | 275,000 | PG 18 LN 33 |
| Fire Service | 558,147 | 599,358 | 638,021 | 638,021 | 0 | PG 19 LN 6 |
| Iowa State Patrol | 36,636,369 | 38,237,606 | 42,517,133 | 43,151,973 | 634,840 | PG 19 LN 13 |
| DPS/SPOC Sick Leave Payout | 272,421 | 211,242 | 316,179 | 316,179 | 0 | PG 20 LN 6 |
| Fire Fighter Training | 543,270 | 530,910 | 559,587 | 699,587 | 140,000 | PG 20 LN 23 |
| DCI Crime Lab | | | | | 0 | PG 18 LN 6 |
| Total Public Safety, Department of | \$ 58,431,353 | \$ 60,843,323 | \$ 67,398,134 | \$ 69,989,327 | \$ 2,591,193 | |
| Total Justice System | \$ 355,817,697 | \$ 381,741,202 | \$ 395,473,567 | \$ 409,081,480 | \$ 13,607,913 | |

Justice System

Non General Fund

| H.F. 811 | Actual FY 2003 (1) | Actual FY 2004 (2) | Estimated FY 2005 (3) | House Approp FY 2006 (4) | House Approp vs Est FY 2005 (5) | Page & Line Number (6) |
|--|--------------------------|--------------------------|-----------------------------|--------------------------------|---------------------------------------|------------------------------|
| <u>Justice, Department of</u> | | | | | | |
| Environmental Crime Invest | | | | ¹⁵ \$ 20,000 | \$ 0 | PG 4 LN 11 |
| Fine Paper Anti Trust | | | | ¹³ 200,000 | 0 | PG 1 LN 32 |
| Consumer Fraud Refunds | | | | ¹⁴ 1,200,000 | 0 | PG 2 LN 31 |
| Fine Paper Microsoft | | | | ¹³ 300,000 | 0 | PG 2 LN 18 |
| Total Justice, Department of | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |
| <u>Corrections, Department of</u> | | | | | | |
| Corrections Central Office | | | | | | |
| Microsoft - Corrections | | | | ¹³ \$ 42,000 | \$ 0 | PG 8 LN 5 |
| Microsoft - Substance Abuse Ed | | | | ¹³ 214,000 | 0 | PG 7 LN 15 |
| Total Corrections Central Office | 0 | 0 | 0 | 0 | 0 | |
| CBC Districts | | | | | | |
| Microsoft CBC | | | | ¹³ | 0 | |
| Corr. - Mt Pleasant | | | | | | |
| Microsoft - Mt. Pleasant Chape | | | | ¹³ 10,000 | 0 | PG 6 LN 13 |
| Total Corrections, Department of | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |
| <u>Public Safety, Department of</u> | | | | | | |
| Microsoft - Patrol | | | | ¹³ \$ 390,000 | \$ 0 | PG 19 LN 23 |
| Total Justice System | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |
| Contingency ¹³ Fine Paper Anti Trust | \$ 0 | \$ 0 | \$ 0 | \$ 1,156,000 | \$ 0 | |
| Contingency ¹⁴ Consumer Fraud Refunds | \$ 0 | \$ 0 | \$ 0 | \$ 1,200,000 | \$ 0 | |
| Contingency ¹⁵ Environmental Crime Invest | \$ 0 | \$ 0 | \$ 0 | \$ 20,000 | \$ 0 | |

Justice System

FTE

| H.F. 811 | Actual FY 2003 | Actual FY 2004 | Estimated FY 2005 | House Approp FY 2006 | House Approp vs Est FY 2005 | Page & Line Number |
|--|-------------------|-------------------|----------------------|-------------------------|--------------------------------|-----------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Justice, Department of</u> | | | | | | |
| General Office A.G. | 188.10 | 187.51 | 214.50 | 214.50 | 0.00 | PG 1 LN 8 |
| Consumer Advocate | 24.60 | 22.93 | 27.00 | 27.00 | 0.00 | PG 5 LN 4 |
| Victim Compensation Fund | 19.41 | | | | 0.00 | PG 3 LN 21 |
| Total Justice, Department of | 232.11 | 210.44 | 241.50 | 241.50 | 0.00 | |
| <u>Civil Rights Commission</u> | | | | | | |
| Civil Rights Commission | 31.04 | 27.40 | 27.00 | 27.50 | 0.50 | PG 21 LN 4 |
| <u>Corrections, Department of</u> | | | | | | |
| Corrections Institutions | | | | | | |
| Ft. Madison Inst. | 512.24 | 550.56 | 549.00 | 560.50 | 11.50 | PG 5 LN 24 |
| Anamosa Inst. | 350.86 | 360.71 | 370.75 | 374.25 | 3.50 | PG 5 LN 28 |
| Oakdale Inst. | 310.81 | 314.08 | 267.00 | 317.50 | 50.50 | PG 6 LN 1 |
| Newton Inst. | 328.75 | 330.39 | 335.00 | 336.00 | 1.00 | PG 6 LN 5 |
| Mt Pleasant Inst. | 315.12 | 303.83 | 308.96 | 315.96 | 7.00 | PG 6 LN 9 |
| Rockwell City Inst. | 104.43 | 105.48 | 108.00 | 109.00 | 1.00 | PG 6 LN 27 |
| Clarinda Inst. | 271.58 | 270.47 | 334.65 | 335.65 | 1.00 | PG 6 LN 31 |
| Mitchellville Inst. | 194.17 | 194.01 | 196.00 | 205.50 | 9.50 | PG 7 LN 5 |
| Ft. Dodge Inst. | 351.72 | 365.16 | 372.00 | 376.00 | 4.00 | PG 7 LN 9 |
| Total Corrections Institutions | 2,739.68 | 2,794.69 | 2,841.36 | 2,930.36 | 89.00 | |
| Corrections Central Office | | | | | | |
| Central Office Corrections | 32.51 | 35.30 | 37.18 | 37.18 | 0.00 | PG 8 LN 24 |
| CBC Districts | | | | | | |
| CBC District I | 200.26 | 189.96 | 189.96 | 195.96 | 6.00 | PG 12 LN 6 |
| CBC District II | 141.54 | 138.04 | 137.04 | 136.29 | -0.75 | PG 12 LN 12 |
| CBC District III | 77.49 | 74.49 | 74.49 | 78.49 | 4.00 | PG 12 LN 18 |
| CBC District IV | 74.00 | 74.25 | 72.50 | 73.50 | 1.00 | PG 12 LN 24 |

Justice System

FTE

| H.F. 811 | Actual FY 2003 | Actual FY 2004 | Estimated FY 2005 | House Approp FY 2006 | House Approp vs Est FY 2005 | Page & Line Number |
|--|-------------------|-------------------|----------------------|-------------------------|--------------------------------|-----------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Corrections, Department of (cont.)</u> | | | | | | |
| CBC Districts (cont.) | | | | | | |
| CBC District V | 218.45 | 216.95 | 235.95 | 246.95 | 11.00 | PG 12 LN 30 |
| CBC District VI | 160.55 | 179.49 | 183.24 | 180.49 | -2.75 | PG 13 LN 1 |
| CBC District VII | 100.95 | 100.95 | 95.95 | 97.95 | 2.00 | PG 13 LN 7 |
| CBC District VIII | 89.35 | 69.40 | 86.85 | 88.85 | 2.00 | PG 13 LN 13 |
| Total CBC Districts | <u>1,062.59</u> | <u>1,043.53</u> | <u>1,075.98</u> | <u>1,098.48</u> | <u>22.50</u> | |
| Total Corrections, Department of | <u>3,834.78</u> | <u>3,873.52</u> | <u>3,954.52</u> | <u>4,066.02</u> | <u>111.50</u> | |
| <u>Inspections & Appeals, Dept of</u> | | | | | | |
| Public Defender | 191.75 | 197.28 | 202.00 | 202.00 | 0.00 | PG 15 LN 15 |
| <u>Law Enforcement Academy</u> | | | | | | |
| Operations | 28.17 | 27.64 | 30.05 | 30.05 | 0.00 | PG 15 LN 25 |
| <u>Parole, Board of</u> | | | | | | |
| Parole Board | 13.08 | 13.35 | 16.50 | 17.50 | 1.00 | PG 16 LN 23 |
| <u>Public Defense, Department of</u> | | | | | | |
| Public Defense, Dept. of | | | | | | |
| Military Division | 261.04 | 296.54 | 317.35 | 312.55 | -4.80 | PG 17 LN 5 |
| Emergency Management Division | | | | | | |
| Homeland Sec. & Emer. Mgmt Div | <u>26.19</u> | <u>34.11</u> | <u>25.25</u> | <u>24.75</u> | <u>-0.50</u> | PG 17 LN 16 |
| Total Public Defense, Department of | <u>287.23</u> | <u>330.65</u> | <u>342.60</u> | <u>337.30</u> | <u>-5.30</u> | |
| <u>Public Safety, Department of</u> | | | | | | |
| Public Safety Administration | 34.85 | 31.58 | 37.00 | 38.00 | 1.00 | PG 17 LN 27 |
| Investigation, DCI | 212.82 | 183.93 | 215.50 | 222.50 | 7.00 | PG 17 LN 32 |

Justice System

FTE

| H.F. 811 | Actual FY 2003 | Actual FY 2004 | Estimated FY 2005 | House Approp FY 2006 | House Approp vs Est FY 2005 | Page & Line Number |
|--|-------------------|-------------------|----------------------|-------------------------|--------------------------------|-----------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Public Safety, Department of (cont.)</u> | | | | | | |
| Narcotics Enforcement | 55.11 | 47.67 | 75.00 | 75.00 | 0.00 | PG 18 LN 21 |
| Fire Marshal | 32.52 | 28.13 | 39.00 | 42.00 | 3.00 | PG 18 LN 33 |
| Fire Service | 8.42 | 8.87 | 10.00 | 10.00 | 0.00 | PG 19 LN 6 |
| Iowa State Patrol | 507.39 | 436.72 | 521.00 | 531.00 | 10.00 | PG 19 LN 13 |
| Fire Fighter Training | 0.49 | 1.00 | 1.00 | 1.00 | 0.00 | PG 20 LN 23 |
| Total Public Safety, Department of | 851.60 | 737.90 | 898.50 | 919.50 | 21.00 | |
| Total Justice System | 5,469.76 | 5,418.18 | 5,712.67 | 5,841.37 | 128.70 | |